

**REMARKS:**

In accordance with the foregoing, claims 1-12 have been amended for clarification, and new claims 13-15 have been added. No new matter has been added. Thus, claims 1-15 are pending and under consideration.

**REJECTION UNDER 35 U.S.C. §102(e):**

In item 2 of the outstanding Office Action, claims 1-3 and 8-12 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,477,533 ('533).

'533 discusses a method and system of maintaining client relationships by tracking and managing customers and agents involved in booking a cruise. Accordingly, type and quantity of activities performed by the agent are evaluated to assign a period of time over which other agents are prevented from acquiring the customer.

The present invention discloses a method and system for presenting discount services defined for specific time periods, according to which customers make transaction reservations and accept the discount services at a selected time period.

According to the '533 system, an agent provides a customer information about cruise sailings from a cruise line database, which the customer can use to book desired cruise packages (see, column 7, lines 22-26 of '533). The '533 system pairs customers with agents for a period of time during which the agent has exclusive rights to the customer (see, column 7, line 59 through column 8, line 3 of '828), and allows the agent to provide the customer with selectable criteria including cabin occupancy, sailing date preferences, cruise destination, cruise duration, etc. (see, column 20, lines 41-44 of '533). The '533 system does not account for time dependent conditions that affect the options presented to the customer. For example, the '533 system will not present reduced prices offered only at certain times of the day, instead, the customer is presented with the price available when the customer or agent connects to the cruise line database.

The present invention "electronically presents information on discount services defined for each time period to a plurality of customers" (see, amended claims 1, 2, 8-12, and FIG. 3 of the present invention). The discount service or bargain data of the present invention includes temporal description showing the date and time the products and/or services are offered at certain prices. As emphasized in claims 1, 2, and 8-12, the customer accepts "information regarding transaction reservation of discount services at a selected time period...", and a

transaction is preformed in accordance with the reserved discount service information. This prevents the provider of services and/or products from having to make laborious changes pertaining to the provided services and/or products, which are caused by temporary modifications, while enabling dissemination of information reflecting the temporary modifications to customers.

The time period discussed in '533 is directed to the period of time during which a booking must be made (see, column 20, lines 51-58 of '533), the duration of time the agent exercises exclusive ownership over the customer (see, column 19, lines 33-37, and column 20, lines 61-65 of '533), and cruise packages that depend on destination, sailing date, etc. (see, column 1, lines 21-26 of '533). This does not provide customers with "discount services defined for each available time period" because while the cruise packages may vary depending on the sailing date, customers are presented with a price based on the entered sailing date. If the cruise line wants to offer custom packages with special discounts, the cruise line has to create and present the special discounts to the customer or change the previously presented package to reflect the special discount.

The present invention solves the problem presented in the '533 system by providing discount services defined for each time period, eliminating the need to create new packages to reflect the discount and the need to make adjustments to previously offered services and/or products. This is particularly advantageous when the offered discount is temporary. Please note that the reference to "time zone" in claim 1 has been amended to read, "time period" to accurately describe the time interval during which the discount services are offered and to be consistent with idiomatic English usage. On page 5, in the paragraph starting at line 4, the word "time period" has been inserted to provide specific support in the disclosure for that which is inherent in the description and to be consistent with idiomatic English usage.

Thus, since '533 fails to disclose a system for accepting transaction reservation where discount services for each time period are presented, the present invention is not anticipated by the method of '533 that maintains agent-client relationships over a specified period of time by tracking and managing customers and agents involved in booking a cruise. Accordingly, withdrawal of the rejection is respectfully requested.

**REJECTION UNDER 35 U.S.C. §103(a):**

In item 3 of the outstanding Office Action, claims 4-7 were rejected under 35 U.S.C. 103(a) as being unpatentable over '533. The rejection is traversed below and reconsideration

is respectfully requested.

The Examiner acknowledges that '533 does not disclose confirming whether the reservation has been accepted, thus relies on the variety of communications exchanged between the agent and the customer in '533 as providing the same. According to the present invention, the method of confirming whether the reservation has been is based on "terms for discount services for each time period" (see, amended claims 4-7 of the present invention). Further, the method of the present invention determines "discount services for the reserved transaction which has been confirmed to be accepted" and makes further discount services based on the determination (see, amended claims 5 and 7 of the present invention). This allows the service and/or product provider of the present invention to gauge the response to previously offered discount services, and make a determination for future discount services.

The burden of establishing a *prima facie* case of obviousness based upon the prior art lies with the Examiner. *In re Fritch*, 23 U.S.P.Q. 2d 1780, 1783 (Fed. Cir. 1992). According to *In re Fritch*, the Examiner "... can satisfy this burden only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references." Since the '533 system fails to disclose a system that reflects temporal conditions affecting options provided to the customer by presenting "information regarding discount services defined for each time period", withdrawal of the rejection is requested.

#### **NEW CLAIMS:**

New claims 13 and 15 have been added to emphasize that the system and method of transaction reservation acceptance of the present invention comprises "presenting bargain data in relation to the transaction target reflecting time dependent changes". This allows the present invention to eliminate the need to erase one offer and enter a discounted offer, especially when the discounted offer is temporary.

Further, new claim 14 has been added to highlight the feature of the present invention that allows, "bargain data [to be] based on the accepted transaction reservation for the transaction target". This permits the system to determine terms for a transaction based on responses of previously offered discount services.

#### **CONCLUSION:**

In accordance with the foregoing, claims 1-12 have been amended, and new claims 13-15 have been added. Thus, claims 1-15 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

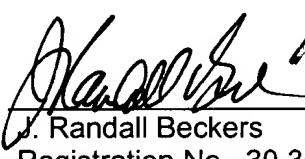
If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 3/3/4

By:



J. Randall Beckers  
Registration No. 30,358

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501